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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
LANCE JAKELL HENDERSON,  
  
Defendant.

CASE NO. 1:23-CR-00024-ADA-BAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: September 27, 2023  
TIME: 1:00 p.m.  
COURT: Hon Barbara A. McAuliffe.

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on September 27, 2023.
2. By this stipulation, defendant now moves to continue the status conference until December 13, 2023, and to exclude time between September 27, 2023, and December 13, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that discovery associated with this case has been provided. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. The government has made inquiries and is in the process of ascertaining if there are additional reports /other discovery that needs to be processed and

provided to the defense.

b) The government has provided a plea agreement for counsel's consideration.

c) Counsel for defendant desires additional time to review the discovery, plea agreement and conduct investigation.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 27, 2023 to December 13, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 22, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ LAUREL J. MONTOYA  
LAUREL J. MONTOYA  
Assistant United States Attorney

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1 Dated: September 22, 2023

/s/ ALEKXIA TORRES  
STALLINGS  
ALEKXIA TORRES  
STALLINGS  
Counsel for Defendant  
LANCE JAKELL  
HENDERSON

7 **ORDER**

8 IT IS SO ORDERED that the status conference is continued from September 27, 2023, to  
9 **December 13, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** Time is excluded  
10 pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

11  
12 IT IS SO ORDERED.

13 Dated: **September 22, 2023**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE